

ALJ Ruling: 01-0707

This cause comes before the ALJ on Motion of Staff for a ruling pursuant to the July 27, 2004, Protective Order, the ALJ being advised in the premises:

After consideration of the definition of "proprietary" in the July 27, 2004, Protective Order, the Motion, as well an *in camera* inspection of the documents in question, it is hereby Ordered that:

A. Documents that appear with the letter "A" after their description shall be kept confidential pursuant to the July 27, 2004 Order,

B. Documents with the letter "B" after their description are not confidential, save for certain redactions, as is provided below:

C. Documents with the letter "C" after their description do not fall within the definition of "proprietary" in the July 27, 2004 Protective Order, and are therefore, not subject to the penalties imposed by that order for the release of proprietary information:

Deposition Ex 2: "enovate profit sharing" B: redact the dollar amounts under

EMW Share and Hub Revenue headings

Deposition Ex 3: "Review of enovate" C

Deposition Ex 4: enovate LLC PBL request list C

Deposition Ex 5: Monthly annuity schedule B: redact dollar amounts in right-hand column(s)

Deposition Ex. 6: enovate statement of cash flows: B: redact dollar amounts in right hand columns

Deposition Ex. 8: B PGL storage arbitrage strategy B: redact the dollar amounts in the right hand column

Deposition Ex. 9: email Westgate to Chilsen C

Deposition Ex. 11: email Naughton to Westgate C

Deposition Ex. 13: "profit sharing" C

Deposition Ex. 14: annuities schedule: B redact dollar amounts

Deposition Ex. 15 Expected 3rd Quarter P & L: A

Deposition Ex. 16: Report entitled Enovate, LLC, "draft": C

Deposition Ex. 20: e-mail Tomaski-Chilsen C

Deposition Ex. 21:e-mail Hermann to Morrow C

Deposition Ex. 22: Divito e-mail to Dobson A

Deposition Ex. 23: Enron MW NSSII Management Letter Agreement: B: redact any numerical references appearing in conjunction with MMBTU, BCF. Also redact dollar amounts.

Deposition Ex. 24: e-mail Rodriguez-Hermann A

Deposition Ex. 25: Status of Corporate Accounting Activity PERC/Enron C

Deposition Ex. 28: e-mail Harrington-Zack A

Deposition Ex. 30 "Midstream Services Critical Issues" C

Deposition Ex. 31: PGL DR. Response POL 15.006: C

Deposition Ex. 32: Manlove Enhancement Proposal, 38 Special, B, schedules on pp. 5-9 must be kept confidential, in their entirety, pp. 1-4 do not contain proprietary information

Deposition Ex. 33: Schedule 9/30/200 to Master Consulting Agreement: B page 4 must be kept confidential, in its entirety, the first three pages do not contain proprietary information.

Deposition Ex. 34: flow chart dated 9/200. B: dollar amounts must be redacted.

Deposition Ex. 36: withdrawal schedule: A

Deposition Ex. 37:LLC Agreement MW Energy Hub C

Deposition Ex. 38: Storage Optimization K B: pp. 3-4 quantities (i.e. __ MMBtu) in Article II must be redacted. Page 8, par. 4a, quantities must also be redacted.

Page 8, par. 5a: Quantities must be redacted.

Deposition Ex. 39: PEC/ENA Joint Venture Profit Sharing C

Deposition Ex. 44: e-mail Naughton-Debartoli: C

Deposition Ex. 45: State of month, Storage injections: A

Deposition Ex. 50: 6/30/00 "Tie out of Annuities" A

Deposition Ex. 52: enovate 2000 projects C

Deposition Ex. 53: Radous Memo 4/14/00 re: NSS: B: react dollar amounts and quantity amounts that are in "Actual Transactions"

Deposition Ex. 54: PEC Financial Statement: A

Deposition Ex. 59: Storage usage data: A

Deposition Ex 65: Aruba Analysis: A

Deposition Ex. 67: "Power point" type of info re: enovate: C

Deposition Ex. 69: e-mail Hermann-Anderson: C

Deposition Ex. 70: transaction diagram: C

Gas Purchase and Agency Agreement: B redact numbers and quantities on pp.

9-11, attached schedules

Peoples Gas Response to D.R. POL 2.074: A